Remarks/Arguments:

This amendment is being submitted in response to the Office Action dated October 9, 2003. Claims 9-29 are presented for examination. Claims 27-29 have been amended by this Amendment. Applicants respectfully request reconsideration and allowance of claims 9-29 in light of the remarks made herein.

Applicants' representative hereby authorizes the use of Deposit Account 03-0172 for a Three-month extension of time fee of $950.00 under 37 C.F.R. §1.17(a)(2), and for any other payment necessary to maintain the application in good standing.

Claim Rejections Under 35 U.S.C. §103

MPEP §2142 reads:

> "To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves, or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, **the prior art reference** (or references when combined) **must teach or suggest all the claim limitations**. The teaching or suggestion to make the claim or a combination and reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure." (emphasis added) *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991).

MPEP §2143.03 reads "to establish *prima facie* obviousness of a claimed invention, all the claimed limitations must be taught or suggested by the prior art." *In re Royka,* 490 F.2d 981 (CCPA 1974). Applicants contend that the burden of showing *prima facie* obviousness has not been met. Specifically, with respect to claims 9-12, Applicants have been presented with no evidentiary basis for the proposition that a "database schema" is a kind of "database catalog". Applicants contend that without the proposition that a "database schema" is a kind of "database catalog", the references upon which the Office Action relies neither teach nor suggest all the claimed limitations of the invention, and thus the §103 rejections should be withdrawn. With respect to claims 22-29, none of the references, alone or in combination, teach or suggest "querying a database catalog for direct dependencies of a code object" and/or building a

dependency graph that stores information concerning the dependencies between the code objects discovered in the database catalog.

MPEP §2143.03 reads "if an independent claim is not obvious under 35 U.S.C. §103, then any claim depending therefrom is not obvious." *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Thus, as illustrated below, since none of the independent claims are obvious, then neither are the claims that depend from the independent claims.

Claims 9-21

Independent Claim 9 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Morgenstern (U.S. Patent No. 5,970,490) in view of Tyra et al. (U.S. Patent No. 5,493,682).

Claim 9 reads:

> "A method of generating a basic dependency tree of a code object that does not take into consideration dependencies on triggers and on implementations of object oriented code objects, the method comprising the steps of:
>
> querying a database catalog for direct dependencies of a code object and then for each dependency found, doing the query recursively until all basic dependencies are generated into a dependency tree." (emphasis provided.)

Independent Claim 17 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Morgenstern (U.S. Patent No. 5,970,490) in view of Tyra et al. (U.S. Patent No. 5,493,682) and further in view of Doo (U.S. Patent No. 5,926,819).

Claim 17 reads:

> "A method of generating dependency information including dependencies of code objects on database triggers, the method comprising:
>
> using a recursive algorithm for querying a database catalog for direct dependencies of a code object and then for each dependency found, doing the query recursively until all basic

dependencies are generated into a dependency graph; ..." (emphasis provided.)

Regarding independent claims 9 and 17, the Office Action asserts that Morgenstern discloses "querying a data catalog for direct dependencies of a code object" and supports the assertion by citing Fig. 4, col. 20, lines 46-67 and col. 21, lines 28-67 which concern, among other things, input schema and output schema. The Office Action further contends that a "database schema" is a kind of "database catalog" to support the rejection. Applicants disagree with this unsupported contention.

The Office Action relies on the proposition that "database schema" is a kind of "database catalog" but provides no evidentiary support for the proposition. Consequently, Applicants contend that the burden of showing *prima facie* obviousness has not been met.

Accordingly, Applicants respectfully request the Examiner withdraw the rejection under 35 U.S.C. 103 and allow independent claims 9 and 17. Applicants further request the Examiner allow dependent claims 10-16 and 18-21 as being allowable for the same reasons as independent claims 9 and 17 from which they depend.

Claims22-29

Independent Claim 22 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Morgenstern (U.S. Patent No. 5,970,490) in view of Tyra et al. (U.S. Patent No. 5,493,682) and further in view of Doo (U.S. Patent No. 5,926,819).

Claim 22 reads:

"A method of generating dependencies of code objects as well as implementations of object oriented code objects in a database, the method comprising:

applying a recursive algorithm that queries a database for dependency information and outputs a direct dependency graph of a database code object, the "direct dependency graph" containing dependencies that do not involve dependencies on triggers and on implementations of object oriented code objects in the database; ..." (emphasis provided.)

The Office Action asserts that Morgenstern discloses a recursive algorithm that "queries a database for dependency information". The Office Action supports the assertion by citing Fig. 4, col. 20, lines 46-67 and col. 21, lines 28-67 which concern, among other things, input schema and output schema. Applicants disagree that Morgenstern discloses such querying.

Specifically, Morgenstern discloses building an input schema and an output schema by analyzing respective high level data structure specifications (HLDSS), as shown in Fig. 2. Morgenstern does not appear to teach or suggest that such schema building is accomplished by "querying a database for dependency information" as recited by the present application. Morgenstern teaches that the dependency information needed to generate the dependency chart of Fig. 4 is defined by the HLDSS, not acquired through database queries. Further, the analysis of the HLDSS to build the schema does not appear to entail any database querying.

Applicants find no disclosure by Morgenstern of at least a dependency graphing process that "queries a database for dependency information". Consequently, Applicants respectfully request the Examiner withdraw the rejection under 35 U.S.C. 103 and allow independent claims 22 and 27-29. Applicants further request the Examiner allow dependent claims 23-26 as being allowable for the same reasons as independent claim 22 from which they depend.

Conclusion

Entry of this response and allowance of claims 9-29 are respectfully requested. Based on the foregoing remarks Applicants believe that all of the claims in this case are in a condition for allowance and an indication to that effect is earnestly solicited. Furthermore, if the Examiner believes that additional discussions or information might advance the prosecution of this case, the Examiner should feel free to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

April 9, 2004
Date

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